

REMARKS

Claims 1-4 and 10-13 stand rejected under 35 U.S.C. §102(b) as being anticipated by Call et al (U.S. 5,172,365). Applicants respectfully traverse this rejection because the cited reference does not disclose or suggest judging abnormality of the APC detector by comparing a value obtained by dividing the measured inclination by the pre-measured inclination that is measured before the shipment of the optical storage apparatus with a threshold value.

Call discloses a method for detecting the end-of-life of a light emission laser diode in an optical disk device. The method utilizes a phenomenon where a power curve of the light emission diode changes at the higher power level due to the aging of the light emission diode. In Fig. 3 and column 3, line 39 to column 4, line 21, Call et al. describes three different drive currents I1-I3 being applied to the laser diode in producing power levels P1-P3, respectively. Then a lower slope S1 is calculated by using P1 and P2, and a higher slope S2 is calculated by using P2 and P3. The ratio of the slopes S1 and S2 is calculated (using formula (3), (4)), and compared with a predetermined threshold. If the ratio is over the predetermined threshold, the laser diode is judged to have reached the end-of-life, as described in column 5, lines 1-19.

Thus, Call et al. discloses a method for detecting the end-of-life of a light emission laser diode. It, however, fails to disclose detecting an abnormality of an APC detector as in the present invention. Moreover, Call et al. teaches that the linear slope of the characteristic curve at the high power level is compared to the linear slope at low power levels and, when the comparison exceeds predetermined criteria, a flag is raised. In contrast, a pre-measured linear slope of the characteristic curve is compared with the

measured linear slope in the present invention (see Fig. 9). In other words, the present invention does not use the change in the power curve of the light emission diode in a higher power level due to the aging of the light emission diode, as in Call et al. For these reasons, independent claims 1 and 10 and their respective dependent claims are believed to be allowable over the cited references. Withdrawal of the rejection is respectfully requested.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. The Examiner should contact the undersigned if a telephone conference would expedite prosecution.

Respectfully submitted,

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